



PATENT  
Attorney Docket No. KAP 101 DIV

A3.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Aaron V. Kaplan, M.D., et al )  
Serial No.: 10/002,329 )  
Filed: November 1, 2001 )  
Group Art No.: 3763 )  
Examiner: Not yet Assigned )  
For: METHODS AND APPARATUS FOR )  
PERICARDIAL ACCESS )

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label No.: EL845497803US

Date of Deposit January 24, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Office of Initial Patent Examination's Customer Service Center, Assistant Commissioner for Patents, Washington, D.C. 20231

NAME Jeannie Rapstad

SIGNATURE Jeannie Rapstad

Request for Corrected Filing Receipt

Office of Initial Patent Examination's  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In the above application the total number of independent claims was incorrectly entered as one independent claim. Please correct the application to list two independent claims, as indicated on the enclosed Fee Transmittal Form (PTO/SB/17), which was filed with the application on November 1, 2001. The two independent claims are claims 16 and 21. A preliminary amendment is being submitted herewith to clarify that claim 21 is an independent claim.

It is believed that no fee is associated with this request. However, if any fee is due the Examiner is hereby authorized to charge Deposit Account No. 50-1039.

Respectfully submitted,

Date: January 24, 2002

By:

  
Gary W. McFarron, Esq.

Registration No. 27,357  
Cook, Alex, McFarron, Manzo,  
Cummings & Mehler, Ltd.  
200 West Adams St., Suite 2850  
Chicago, IL 60606  
Telephone: (312) 236-8500

Attorneys for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
JAN 22 2002  
COOK U.S. PATENT & TRADEMARK OFFICE  
MURKIN, PAUL  
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/002,329	11/01/2001	3763	370	KAP 101 DIV	4	6	12

Cook, Alex, McFarron, Manzo, Cummings & Mehler  
Suite 2850  
200 West Adams Street  
Chicago, IL 60606



CONFIRMATION NO. 6187  
FILING RECEIPT

Barcode  
OC000000007227591

Date Mailed: 12/21/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Aaron V. Kaplan, Los Altos, CA;  
Jordan T. Bajor, Palo Alto, CA;  
Nubar S. Manoukian, Cupertino, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A DIV OF 09/397,392 09/16/1999

**Foreign Applications**

If Required, Foreign Filing License Granted 12/21/2001

Projected Publication Date: To Be Determined - pending completion of Omitted Items

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

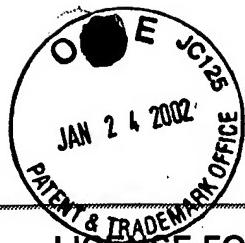
Methods and apparatus for pericardial access

**Preliminary Class**

*Cerebral Vascular Appl.*

DATE	KAP 101 DIV
ATTY	JRW/JCL
SEARCHED	INDEXED
SERIALIZED	FILED
REVIEWED BY ATTY	CCP
1ST TO FILE	12/21/01
Omitted items due (non-extensible) 12/21/02	

604



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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMISSION for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$370.00

Complete if Known

Application Number

Filing Date

First Named Inventor Aaron V. Kaplan

Examiner Name

Group Art Unit

Attorney Docket No. KAP 101 DIV

**COPY**

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-1039

Deposit Account Name

Cook, Alex, McFarron et al.

 Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 Applicant claims small entity status. See 37 CFR § 1.272.  Payment Enclosed: Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non - English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR § 1.17(q)	
128	180	126	180 Submission of Information Disclosure Statement	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
148	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

## 2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 4 -20** = 0	X 0 = 0.00	
Independent 2 - 3** = 0	X 0 = 0.00	
Claims Multiple Dependent		

## Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue Independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0.00

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

## SUBMITTED BY

Name (Print/Type)	Gary W. McFarron	Registration No. (Attorney/Agent)	27,357	Telephone	312-236-8500
Signature	Gary W. McFarron		Date	11/01/2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/002,329	11/01/2001	Aaron V. Kaplan	KAP 101 DIV



CONFIRMATION NO. 6187  
FORMALITIES LETTER



\*OC00000007227592\*

Cook, Alex, McFarron, Manzo, Cummings & Mehler  
Suite 2850  
200 West Adams Street  
Chicago, IL 60606

Date Mailed: 12/21/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **7B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must be filed within TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must be filed within TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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JULY 10 2008



01-28-02

Receipt #3.

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/002,329
		Filing Date	November 1, 2001
		First Named Inventor	Aaron V. Kaplan, M.D., et al.
		Group Art Unit	3763
		Examiner Name	Not yet Assigned
Total Number of Pages in This Submission	19	Attorney Docket Number	KAP 101 DIV

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) 1 sheet plus Sketch with Corrections	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (Preliminary)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Notice of Omitted Items
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Request for Corrected Filing Receipt & Corrected Filing Rcpt.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	- Copy of Fee Transmittal
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	<input type="checkbox"/> - Certificate of Mailing
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> - Return Receipt Postcard
U.S. Post Office Express Mail Service Label No. EL845497803US		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	
Date	January 24, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Jeannie Rapstad
Signature	
Date	January 24, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
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Serial No.: 10/002,329 )  
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NAME Jeannie Rapstad

SIGNATURE 

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Office of Initial Patent Examination's  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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1. Transmittal Form PTO/SB/21 (1 sheet);
2. Request for Corrected Filing Receipt (in duplicate, 4 sheets total);
3. Copy of Filing Receipt with corrections (2 sheets);
4. Copy of Fee Transmittal PTO/SB/17 (1 sheet);
5. Response and Preliminary Amendment with Marked-Up Version of the Specification and Claim 21 (6 sheets total);
6. Copy of Notice of Omitted Items dated 12/21/01 (2 sheets);
7. Corrected Drawing and Sketch showing drawing corrections (2 sheets); and
8. Return Receipt Postcard.

Signed:



Jeannie Rapstad  
Jeannie Rapstad